

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ALICIA RAEI,

Plaintiff,

v.

No. 1:24-cv-1139 KG/DLM

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

**ORDER ADOPTING PROPOSED FINDINGS
AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on United States Magistrate Judge Damian L. Martínez's Proposed Findings and Recommended Disposition (PFRD) filed July 21, 2025. (Doc. 19.) Judge Martínez finds that the Administrative Law Judge failed to consider Plaintiff Alicia Rael's fibromyalgia diagnosis as a medically determinable impairment or to evaluate her fibromyalgia in accordance with SSR 12-2p. (*See id.* at 5–9.) Accordingly, Judge Martínez recommends granting in part the motion to remand and remanding the matter for further proceedings. (*See id.* at 9.)

The PFRD notified the parties of their ability to file objections no later than 14 days after the PFRD was filed. (*Id.*) As no party filed objections within the time allowed, the Court concludes that appellate review has been waived.

IT IS THEREFORE ORDERED that the PFRD (Doc. 19) is adopted.

IT IS FURTHER ORDERED that Plaintiff's Opening Brief in Support of a Social Security Appeal (Doc. 14) is **GRANTED in part**.

/s/_____
KENNETH J. GONZALES¹
CHIEF UNITED STATES DISTRICT JUDGE

¹ Please note that this document has been electronically filed. To verify its authenticity, please refer to the Digital File Stamp on the NEF (Notice of Electronic Filing) accompanying this document. Electronically filed documents can be found on the court's PACER public access system.